

EXHIBIT A

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DA-DAZE-NOM MANZANARES - 06/26/07

Case No. 3:07-CV-00076

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

-00o-

DA-DAZE-NOM MANZANARES,

Plaintiff,

vs.

ELKO COUNTY SCHOOL DISTRICT, and

GARY LEE JONES, SR. As agent for ELKO
COUNTY SCHOOL DISTRICT, and GARY LEE JONES, SR.,
Individually, and CORPORATION OF THE
PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST
OF LATTER-DAY SAINTS, et al.,

Defendants.

COPY

VIDEOTAPED DEPOSITION OF

DA-DAZE-NOM MANZANARES

June 26, 2007

Reno, Nevada

SUNSHINE REPORTING SERVICES

(775) 883-7950 or (775) 323-3411

REPORTED BY: GAIL R. WILLSEY CA CSR 9748; NV CSR 359

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2 (Pages 2 to 5)

Page 2		Page 4	
1	APPEARANCES	1	BE IT REMEMBERED that on Tuesday, the 26th
2		2	day of June, 2007, at the hour of 9:00 A.M. of said
3		3	day, at the offices of ROBISON, BELAUSTEGUI, SHARP AND
4		4	LOW, 71 Washington St., Reno, Nevada, before me, GAIL
5		5	R. WILLSEY, a notary public, personally appeared
6	FOR THE PLAINTIFF: LISA MENDEZ, ESQ. 927 Idaho St. Elko, Nevada 89801	6	DA-DAZE-NOM MANZANARES, who was by me first duly sworn
7		7	and was examined as a witness in said cause.
8		8	
9		9	-000-
10		10	
11	FOR THE DEFENDANT: WATSON ROUNDS	11	DA-DAZE-NOM MANZANARES,
12	FOR GARY LEE JONES By: COLT DODRILL, ESQ. 777 N. Rainbow Blvd., Ste 350 Las Vegas, Nevada 89107	12	called as a witness herein, having been
13		13	duly sworn, testified as follows:
14		14	
15	FOR THE DEFENDANTS: ROBISON, BELAUSTEGUI, THE MORMON CHURCH BY: KENT R. ROBISON, ESQ. 71 Washington St. Reno, Nevada 89503	15	EXAMINATION
16		16	BY MR. ROBISON:
17		17	Q Good morning. As I said, my name is Kent
18		18	Robison, and I represent two of the defendants in this
19	FOR THE DEFENDANTS: ERICKSON, THORPE & SWAINSTON, LTD. ELKO COUNTY BY: THOMAS P. BEKO, ESQ. 99 W. Arroyo St. P.O. Box 3497 Reno, Nevada 89503	19	case that you've brought an action against.
20		20	Before I start asking you questions, I want
21		21	to go through some of the rules that apply to this
22		22	procedure. Have you had a deposition taken of you
23	ALSO PRESENT: BRENT L. RYMAN, ESQ.	23	before?
24		24	A No.
25		25	Q All right.
Page 3		Page 5	
1	I N D E X	1	First and most important is would you please
2		2	keep your voice up. we would encourage you to yell
3		3	and get it up because she has to hear you and the
4		4	videographer has to hear you and the attorneys down
5		5	the table have to hear you, okay?
6	EXAMINATION	6	A Okay.
7	Examination by Mr. Robison	7	Q And I will remind you from time to time, as
8	Examination by Mr. Beko	8	will the other attorneys, to keep your voice up; okay?
9		9	A All right.
10		10	Q We're not trying to be rude, we're just
11	EXHIBITS	11	trying to make sure that everybody hears you.
12	Exhibit 1 Complaint	12	The second request that I would make of you
13	Exhibit 2 Transcript	13	is that if you can answer a question with words
14	Exhibit 3 Suicide Report	14	please. Like "Yes" or "No," please use "Yes" or "No"
15	Exhibit 4 J.C. Penny receipt	15	rather than non-verbal gestures like shaking or
16	Exhibit 5 Writings	16	nodding your head because you will get a transcript of
17	Exhibit 6 Writings	17	what you say here today and we want to read the words
18	Exhibit 7 Writings	18	rather than the gestures?
19	Exhibit 8 Poetry	19	A Okay.
20	Exhibit 9 Picture	20	Q So please try to avoid, if you can, "uh-huh"
21	Exhibit 10 Address Book	21	or "Huh-huh", and I don't even know the difference
22	Exhibit 11 Address book	22	sometimes.
23	Exhibit 12 Folder	23	If you do that, I might say, "Is that a yes
24	Exhibit 13 Folder	24	or is that a No," and please be patient with me and
25	Exhibit 14 Nummie	25	we'll make sure that the record is clear, deal?
	Exhibit 15 Book Cover		
	Exhibit 16 Xerox copy name tags		
	Exhibit 17 Pack of documents		
	Exhibit 18 Calendar		
	Exhibit 19 Calendar		
	Exhibit 20 Picture of Gary		

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3 (Pages 6 to 9)

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			Page 7	Page 9		
1	A	Deal.		1	Q	All right.
2	Q	Keep your voice up.		2		You indicated to us that you're pregnant?
3	A	Okay.		3	A	Yes.
4	Q	If you have any confusion or any problem with		4	Q	How far along are you?
5		what the question is or what it means or what		5	A	Two months.
6		information we're trying to obtain, please let us		6	Q	You're due when?
7		know.		7	A	About the middle of January.
8	A	Okay.		8	Q	January '08 you're due?
9	Q	And if you want us to rephrase the question		9	A	Yes.
10		or make it more clear, we will be happy to do so.		10	Q	All right.
11	A	Okay.		11		I'm going to explain to you why we take
12	Q	And we don't want there to be any confusion		12		depositions.
13		about what I ask and you misunderstood me and gave me		13	A	All right.
14		a wrong answer to a wrong question.		14	Q	This is a part of the case that we call
15		So we'll try our best to make sure that we		15		"Discovery."
16		understand one another so the questions are responsive		16	A	Okay.
17		to or excuse me, the answers are responsive to the		17	Q	And you, through your lawyers, have brought a
18		questions, okay?		18		lawsuit against various defendants in which you are
19	A	Okay.		19		seeking compensation. Do you understand that?
20	Q	If you want to take a recess or a break,		20	A	Yes.
21		please let us know and we'll be happy to do that.		21	Q	The rules allow us to do various things to
22		As I told you, this room gets a little warm		22		try to find out everything about your claim. We're
23		in the summer, and we will probably be taking a recess		23		starting off with your deposition and this is our
24		about every hour today; all right?		24		effort to find out everything about your claim and
25	A	Okay.		25		about this case.
1	Q	However, if I'm asking a question or one of		1	A	Okay.
2		these other gentlemen are asking you a question and		2	Q	Now, if you should not tell us the truth and
3		you ask to take a recess while that question is		3		we find out that one of your answers is untruthful, I
4		pending and you discuss that question with your		4		want you to know that one or more of us will try to
5		attorney, we're entitled to go into that discussion.		5		show the jury in this case that you weren't honest
6		So what we're going to try to do is make sure		6		with us.
7		that you answer the question before we take a recess		7		So it's very important that you do your very
8		while the question is pending, understood?		8		best to give answers that are as accurate as possible
9	A	Yes.		9		to the best of your recollection during this
10	Q	How about your health.		10		deposition.
11		You're okay health wise with regard to giving		11	A	Okay.
12		a deposition today?		12	Q	All right?
13	A	Other than I'm pregnant, yeah, I'm okay.		13	A	Yes.
14	Q	Now, yell at me, please.		14	Q	At sometime probably tomorrow this deposition
15	A	Okay.		15		will be transcribed into booklet form. Inside the
16	Q	Are you on medication?		16		booklet form will be every question that's asked here
17	A	No.		17		today, and your answers will be printed out.
18	Q	In terms of your mental clarity, are you good		18		You'll have the opportunity to read the
19		with giving a deposition today?		19		deposition transcript and make any corrections or
20	A	Yes.		20		additions or modifications to that transcript that you
21	Q	Is there any reason, from a health		21		feel are appropriate.
22		standpoint, that the answers that you give us today		22	A	Okay.
23		would be in any way inaccurate because of a health		23	Q	But if you do that and if you change what we
24		condition?		24		call the substantive content of your answer, we will
25	A	No.		25		probably ask you about you changing your testimony at

Page 10	Page 12
1 the time of trial. 2 A Okay. 3 Q That's not to dissuade you from making 4 corrections that are appropriate but just to alert you 5 that if you change your answers, we will try to 6 suggest that you're changing your version after maybe 7 you consulted with counsel or some such thing. 8 Do you understand? 9 A Yes. 10 Q So it's important today to give a lot of 11 thought to your answers so that they're your best 12 recollection and as accurate as possible, understood? 13 A Yes. 14 Q Where do you presently reside? 15 A In New Mexico. 16 Q Do you have an address, ma'am? 17 A Not a physical address. 18 Q If somebody were trying to get ahold of you 19 with a written communication, how would they do that? 20 A It's PO Box 1043, Magdalena, New Mexico. 21 Q Would you say that again, 1043? 22 A Yes. 23 Q And what's the name of the community? 24 A Magdalena. 25 Q New Mexico?	1 Q How long have you resided on that 2 reservation? 3 A About going on two years. 4 Q When did you first move to New Mexico? 5 A May 28 of 2005. 6 Q How long have you and Mr. Padilla been 7 boyfriend, girlfriend? 8 A About three and a half years I would say. 9 Q All right. Help me out with that. 10 What is it almost July of 2007, so we're 11 going back to 2004, mid-part of 2003; does that sound 12 right? 13 A No. 14 Q I think that's three and a half, I'm not 15 sure. 16 A Somewhere around there. About let's see, 17 yeah, somewhere around there. 18 Q Approximately May of 2003? 19 A No, not 2003. Around 2005, no not five, 20 four. 21 Q All right. 2004? 22 A About two and a half years, two and a half to 23 three years. 24 Q Unfortunately, this deposition is going to 25 cover a lot of dates and a lot of time periods. So
Page 11	Page 13
1 A Yes. 2 Q Zip? 3 A 87825. 4 Q And do you have a telephone number? 5 A Yes, area code 505 854-3290. 6 Q Is that a residence? 7 A Yes. 8 Q And with whom do you presently live? 9 A My boyfriend. 10 Q And his name? 11 A Donald Padilla. 12 Q Do you want to spell that last name for us, 13 please? 14 A P A D I L L A. 15 Q And is Don employed? 16 A Yes. 17 Q What is his employment? 18 A He works with the A N S B, Alamo Navajo 19 Community School. 20 Q Do you reside on a reservation? 21 A Yes. 22 Q And the name of the reservation? 23 A Alamo Navajo. 24 Q Alamo Navajo? 25 A Correct.	1 when I ask you about dates and time periods, give it 2 some thought because it becomes very important to the 3 merits of this case as you'll see soon. 4 So you and Mr. Padilla have known each other 5 since approximately May of 2004? 6 A Yes. 7 Q How did you meet? 8 A Through the Internet. 9 Q Were you responding to some kind of dating 10 service? 11 A Something like that. 12 Q Okay. Well, I'll let other people go into 13 that. 14 Where were you when you and he met on the 15 Internet? 16 A I was living in Owyhee. 17 Q Address please? 18 A P O Box 303, Owyhee, Nevada 89832. 19 Q And so in May of 2004, would that be the best 20 estimate that you can give us that you and he made 21 contact on the Internet? 22 A Yes. 23 Q All right. 24 With whom were you living in Owyhee at that 25 time?

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5 (Pages 14 to 17)

		Page 14	Page 16
1	A	My mom and my stepdad, I believe.	
2	Q	Your mother is Martha Seahmer?	
3	A	Yes.	
4	Q	And your stepdad is Rudolph Seahmer?	
5	A	Rudolph Seahmer.	
6	Q	When then did you leave Owyhee to go to New	
7	Mexico?		
8	A	May 28, 2005 after graduation.	
9	Q	All right.	
10		During the period of May of 2004 to May of	
11		2005 during that period of time, did you and Mr.	
12		Padilla continue to develop your relationship on the	
13		Internet?	
14	A	Yes. Well, both Internet and in person.	
15	Q	When did you first get together in person and	
16		I mean socially, I don't mean intimately?	
17	A	Okay. I would say about April 26 of '05 I	
18		believe.	
19	Q	Okay.	
20		So approximately a month before you left for	
21		New Mexico, you and he finally had the chance to meet	
22		personally?	
23	A	Yes.	
24	Q	And then within a month, you decided to go	
25		live in New Mexico?	
		Page 15	Page 17
1	A	Yes.	
2	Q	To be with him?	
3	A	Yes.	
4	Q	Did you begin living together in May of '05?	
5	A	Yes.	
6	Q	Okay.	
7		Have there been any other pregnancies,	
8		unsuccessful with him?	
9	A	No.	
10	Q	Have there been other unsuccessful	
11		pregnancies with you?	
12	A	No.	
13	Q	This is your first time?	
14	A	This is my second.	
15	Q	When was the first pregnancy?	
16	A	I got pregnant in August of '05. The date is	
17		the 27th.	
18	Q	August of '05 and was that with Mr. Padilla?	
19	A	No.	
20	Q	Who was the father of your first pregnancy?	
21	A	Emmitte Vicente.	
22	Q	Okay. Help us with that, please, with the	
23		pronunciation and spelling if possible?	
24	A	E M M I T T E.	
25	Q	Emmitte?	

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6 (Pages 18 to 21)

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1	A	supporting Jackie at all?	1	Q	Okay.
2	A	No.	2		So even though you have these children, you
3	Q	He's not a good father?	3		don't want to be married at this point in time in your
4	A	He's a low-life.	4		life?
5	Q	How long were you involved with Emmitt?	5	A	No.
6	A	I would say maybe two months I would say.	6	Q	I'll take that as a "No?"
7	Q	And that would have been in the end of August	7	A	No. I don't want to.
8		2005 timeframe?	8	Q	All right.
9	A	Yes, around July or June, mid-June.	9		Do you work?
10	Q	Mid-June of 2005?	10	A	Yes, I do.
11	A	Yes.	11	Q	And what is your occupation, please?
12	Q	About a month after you got down to New	12	A	I'm a security guard over at the Alamo
13		Mexico?	13		Wellness Center.
14	A	Yes.	14	Q	Alamo Wellness Center?
15	Q	All right.	15	A	Yes.
16	A	At first, we were friends and then one thing	16	Q	All right.
17		led to another.	17		How long have you been employed in that
18	Q	Okay.	18		capacity, ma'am?
19		Now, did that cause a disruption in your	19	A	Let's see, getting close to three months.
20		relationship with Mr. Padilla?	20	Q	Okay.
21	A	He didn't know until after I got pregnant.	21	A	Just say two.
22	Q	When did he learn?	22	Q	And before being a security officer at the
23	A	Around two months after I had the baby.	23		Alamo Wellness Center, were you employed in New
24	Q	He learned about Emmitt two months after you	24		Mexico?
25		had the baby, that doesn't make sense.	25	A	No.
Page 19			Page 21		
1	A	I told him everything that went on.	1	Q	So this is your first and only job in New
2	Q	Were you living with him?	2		Mexico?
3	A	Who?	3	A	Yes.
4	Q	Mr. Padilla?	4	Q	Prior to moving to Alamo, did you have
5	A	Yes.	5		employment at Owyhee?
6	Q	Didn't he see you getting kind of more	6	A	No.
7		pregnant?	7	Q	And you graduated from high school when,
8	A	Yes, but I told him that it was his.	8		ma'am?
9	Q	Okay.	9	A	May 27, 2005.
10	A	I lied to him.	10	Q	And by my calculations, you would have been
11	Q	All right.	11		18 when you graduated?
12		Now, any other pregnancies?	12	A	Yes.
13	A	No.	13	Q	All right.
14	Q	So when did you become -- two months along	14		Did you lose a year or a portion of your
15		now with Mr. Padilla's child?	15		education, for the period of time that you were up in
16	A	Yes.	16		Boise?
17	Q	All right.	17	A	Yes, I did.
18		Do you have plans to marry?	18	Q	Did you graduate late?
19	A	No.	19	A	No. I did not.
20	Q	You're not going to get married?	20	Q	So you graduated on time?
21	A	No.	21	A	Yes.
22	Q	Why is that?	22	Q	Good for you.
23	A	Too young.	23	A	I had to cram all that stuff I lost into my
24	Q	And that's -- how old are you today?	24		brain.
25	A	I'm 20 years old.	25	Q	All right.

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7 (Pages 22 to 25)

Page 22		Page 24	
1	Now, I want to go back to your upbringing in	1	And how much older is Seferino than yourself?
2	Owyhee?	2	A He's two years older than I am.
3	A Okay.	3	Q Was he in Owyhee in the year 2000?
4	Q Where were you born?	4	A Yes, for a short period of time. Then he
5	A I was born in Nampa, Idaho.	5	went off to Job Corp in Salt Lake City.
6	Q And your father's name is what?	6	Q By the time that Mr. Seahmer, Rudolph, came
7	A Benjamin Manzanares.	7	to Owyhee --
8	Q Do they call him "Benny" sometimes?	8	A He was gone.
9	A Yes.	9	Q He was gone?
10	Q And your mother?	10	A Yes.
11	A Martha Seahmer.	11	Q All right.
12	Q And I'm sorry, your father's last name is	12	A So it was just me and my mom.
13	Manzanares?	13	Q And then yourself and no other brothers or
14	A Yes.	14	sisters?
15	Q All right.	15	A No.
16	And when was it -- how old were you when you	16	Q All right.
17	moved from Nampa to the next place you lived?	17	And the year of your birth again is what?
18	A Oh man, I have no idea.	18	A 2/14/87.
19	Q Did you move around a lot?	19	Q Valentine's Day?
20	A I was just a baby. I don't know.	20	A Yes.
21	Q Where did you next live after Nampa?	21	Q 2/14?
22	A Owyhee.	22	A '87.
23	Q So when you were a baby, your mom and dad	23	Q All right.
24	moved to Owyhee?	24	Now, we understand from various reports that
25	A Yes.	25	your father got in a little bit of trouble?
Page 23		Page 25	
1	Q And you have an older brother and an older	1	A Yes.
2	sister?	2	Q Do you recall the year that that happened?
3	A Correct.	3	A I would have to say it was between the year
4	Q Was it Antoinette?	4	2000 and 2001 or it could be in 2001.
5	A Antoinette.	5	Q He was accused and convicted of murder?
6	Q And she is how many years older than you?	6	A Yes.
7	A I think she's like I would say about six or	7	Q And the victim in that situation was whom?
8	seven years older than I am.	8	A My mom's grandniece.
9	Q Okay.	9	Q How did that situation arise?
10	And where does she reside now?	10	A We were kind of like foster parents. They
11	A In Arizona.	11	were triplets.
12	Q During the period of time that you attended	12	Q Right.
13	Owyhee High School and I'm going to use the years 2000	13	A We were foster parents to them, and I guess
14	and 2001, was Annette --	14	my dad went out of the control, couldn't control his
15	A Antoinette.	15	temper.
16	Q Was she residing in Owyhee?	16	Q How old was the niece that died?
17	A No.	17	A Either three or four years old.
18	Q She was in Arizona?	18	Q And he was physically disciplining her?
19	A No.	19	A Yes, physical.
20	Q So she wasn't there during this period of	20	Q And lost control?
21	time?	21	A Yes.
22	A No.	22	Q All right.
23	Q How about your older brother, what's his	23	A It happened over a period of time, not just
24	name?	24	right there, just, you know, ongoing.
25	A Seferino, S E F E R I N O.	25	Q I might ask you a question that's sensitive

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8 (Pages 26 to 29)

Page 26	Page 28
<p>1 but please bear with me.</p> <p>2 Was your father abusive of you?</p> <p>3 A Sexually, no. Mentally, yes. Physically,</p> <p>4 yes.</p> <p>5 Q And would you describe for us, please, what</p> <p>6 you mean by physically abusive?</p> <p>7 A Hit me with closed fists, open hand, anything</p> <p>8 that's in his sight like a shoe, stick, a cord or</p> <p>9 anything any hard object or anything, that's his way</p> <p>10 of disciplining.</p> <p>11 Q Do you recall him being physically abusive of</p> <p>12 Seferino?</p> <p>13 A Yes.</p> <p>14 Q The same way?</p> <p>15 A Yes.</p> <p>16 Q Were injuries sustained by you or Seferino,</p> <p>17 as a result of this physical abuse?</p> <p>18 A Yes.</p> <p>19 Q What kind of injuries?</p> <p>20 A They would be like marks on our back. My</p> <p>21 brother has a long scar on his back from the fire</p> <p>22 poker.</p> <p>23 Q Oh, boy.</p> <p>24 A And I have a couple of marks on my back.</p> <p>25 Q From what?</p>	<p>1 A Once when I got the black eye because I went</p> <p>2 to school the next day and my counselors and the</p> <p>3 principal saw it. I tried covering it up, but they</p> <p>4 didn't believe me.</p> <p>5 Q When you made that report, were you in the</p> <p>6 same school?</p> <p>7 I mean is Owyhee just one school, one</p> <p>8 through --</p> <p>9 A K through 12.</p> <p>10 Q And what did the authorities do when they</p> <p>11 found out that your father had beaten you?</p> <p>12 A All they did was just took me down to the</p> <p>13 police department and took pictures and kind of like</p> <p>14 threatened him to take us away. But they didn't</p> <p>15 really do any further actions really like putting him</p> <p>16 in jail or anything like that.</p> <p>17 Q But as far as the fire poker, the discipline</p> <p>18 by striking with the fire poker, that was unreported?</p> <p>19 A No.</p> <p>20 Q That did not get to the authorities; correct?</p> <p>21 A No, it did not.</p> <p>22 Q Your mom, was she abusive?</p> <p>23 A To me?</p> <p>24 Q Yes.</p> <p>25 A No.</p>
Page 27	Page 29
<p>1 A From the same thing.</p> <p>2 Q A fire poker?</p> <p>3 A Yes.</p> <p>4 Q Was it hot?</p> <p>5 A No.</p> <p>6 Q Just one that you would use to shake up the</p> <p>7 ashes?</p> <p>8 A Yes.</p> <p>9 Q And he would poke you with that?</p> <p>10 A Just go like hit you.</p> <p>11 Q With a fire poker?</p> <p>12 A Yes.</p> <p>13 Q And you have permanent scarring because of</p> <p>14 that?</p> <p>15 A Yes.</p> <p>16 Q Any other type of physical abuse that he</p> <p>17 would administer to you?</p> <p>18 A He once gave me a black eye.</p> <p>19 Q By striking you with his fists?</p> <p>20 A Yes.</p> <p>21 Q How old were you when that happened?</p> <p>22 A I was about six or seven.</p> <p>23 Q Okay.</p> <p>24 Q Do you know whether or not that abuse was</p> <p>25 ever reported to the authorities?</p>	<p>1 Q To anyone else?</p> <p>2 A No.</p> <p>3 Q To your brother or sister?</p> <p>4 A No. I mean she would give us a spanking but</p> <p>5 not to the extent of bruising and big welts on your</p> <p>6 legs or blood or anything like that.</p> <p>7 Q You told me that your father also caused you</p> <p>8 to suffer emotional abuse.</p> <p>9 A Yes.</p> <p>10 Q And would you describe that for us, please?</p> <p>11 A I was afraid to do a lot of things. Each</p> <p>12 time I would do something if it's not up to his</p> <p>13 standards, he'll like I guess you could say beat me</p> <p>14 and stuff like that.</p> <p>15 Q That caused you to be constantly fearful and</p> <p>16 some anxiety about the way that you were conducting</p> <p>17 yourself?</p> <p>18 A Yes.</p> <p>19 I would always flinch if he would raise his</p> <p>20 hand to do something or if he would come near me, I</p> <p>21 would go like that like a little puppy.</p> <p>22 Q Yeah, right.</p> <p>23 Did you ever receive any treatment,</p> <p>24 assistance because of this emotional or physical</p> <p>25 abuse?</p>

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9 (Pages 30 to 33)

Page 30		Page 32
		1 A At that time, no, I did not.
2 Q All right.		2 A No, June of 2000.
3 Now, I'm trying to put this together in a		3 Q Okay, June of 2000.
4 time line. I understand he got in trouble in 2000?		4 Now, hold that date in mind, okay, June of
5 A Me?		5 2000, assume that's right for a moment. Go to the
6 Q No, no, him, your father. Does that sound		6 Elko motel situation which we know is November of
7 right?		7 2001.
8 A I can't recall.		8 A Yes.
9 Q Okay.		9 Q Are you still sure that you had only known
10 A I don't remember.		10 Gary Jones for about six or seven months prior to the
11 Q Do you know how old you were when he went to		11 Elko motel?
12 prison?		12 A It has to be more than that because about a
13 A I believe I would have to be about between		13 month after my dad left -- about a half a month after
14 the age of 12 to 14, in between there.		14 my dad left, we were in the Elko shelter, and we came
15 Q All right.		15 back and then school started again in August and
16 A I really don't remember. I know I was in		16 that's when we started -- let me see. I would say
17 middle school, though.		17 around about October of 2000 I have known Gary, that's
18 Q As I understand some of the reports, you met		18 when he started coming around and stuff like that.
19 Mr. Jones because your father was sent to prison?		19 Q To help the family?
20 A Yes.		20 A Yes.
21 Q We're trying to put a date or a month and a		21 Q You mentioned the Elko shelter?
22 year on that meeting, and we need your best testimony		22 A Yes.
23 as to when you would have met Mr. Jones.		23 Q Because of your father's departure for
24 A I know it was in the year 2001.		24 prison, were you and your brother put in a shelter in
25 Q Okay, 2001?		25 A Elko?
		25 A Me, my mom and my brother.
1 A Yes.		Page 33
2 Q If we do some math with some of these		1 Q How did that happen?
3 reports, sometimes it's 2001 and sometimes it's not,		2 A The FBI told us to stay in there for several
4 but we're trying to get down to the best recollection		3 weeks or a couple of months, something like that,
5 you have.		4 while my dad was still -- he was in Owyhee still until
6 Let me try it this way. In the reports,		5 they came to pick him up. Then they picked him up
7 there is a description of you staying in a motel with		6 within about a week.
8 Mr. Jones in November of 2001. Can you go back from		7 Q After the child died?
9 the Elko motel situation and tell us how many months		8 A Yes.
10 before that it was that you may have met him?		9 Q All right.
11 A Six or seven months I believe.		10 A And then from there, I think they put him in
12 Q That makes sense, at least to me.		11 the Elko county jail.
13 That would have put it back in the summer		12 Q All right.
14 spring of 2001.		13 A They could have put him there or they could
15 A Yes, that sounds right.		14 have sent him over here to Reno to Washoe.
16 Q And you would have been 14 years old, if my		15 Q I'm going to try to reconstruct this as your
17 math is correct, in 2001?		16 best recollection because these dates are very
18 A I was about 13 when my dad left, around 13		17 important to us, okay?
19 going on 14.		18 A Okay.
20 Q All right.		19 Q Approximately August of 2000, you think
21 Now, see if your dad left in the summer of --		20 you're in the Elko shelter?
22 A July of 2000, that's when he left I remember		21 A Uh-huh.
23 now because we were getting taken out of school and		22 Q Is that correct?
24 there was a week left of school so I remember now.		23 A Yes.
25 Q In July of 2000?		24 Q And they put you in the Elko shelter --
		25 A In August?

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10 (Pages 34 to 37)

	Page 34	Page 36
1	Q I think that's what you said.	1 been 10th grade?
2	A No, not in August.	2 A In 2004, I had to make up two grades at the
3	Q When were you in the Elko shelter?	3 same time.
4	A Around the mid-part of June to the first part	4 Q All right.
5	of July. Then in August, we went back to school.	5 In 2002, do you remember in August of 2002
6	Q All right.	6 was the attempted suicide; okay?
7	In the Elko shelter somewhere in the	7 A Uh-huh.
8	timeframe of June and July of 2000; correct?	8 Q Yes?
9	A Yes.	9 A Yes.
10	Q And then in August, you're allowed to return	10 Q 2002 to 2003, were you a sophomore?
11	to Owyhee?	11 A Yes.
12	A Yes.	12 Q Did you go to school the fall semester in
13	Q And reside in your house?	13 2002 or did you go to Boise and stay there for a
14	A Yes.	14 while?
15	Q And return to school?	15 A I think I went to Boise and stayed there
16	A Yes.	16 because I know when I came back, I had to repeat two
17	Q What grade were you in?	17 grades.
18	A Oh geez, let's see, I would have been a	18 Q Right. And that was I think in January of
19	freshman, 9th grade.	19 2003?
20	Q My math says you're 13 years old in 2000	20 A Yes, you're right, I was a sophomore then
21	after February 14.	21 because I remember coming back. Then I had to do my
22	A Then 8th grade because in 2001, I was a	22 sophomore year plus my junior year.
23	freshman.	23 Q Okay.
24	Q So you're in 8th grade you think in 2000?	24 But all this is going to one simple question
25	A Let me see, I was in 7th grade.	25 and that is when did you meet Gary Jones?
	Page 35	Page 37
1	Q When you met Mr. Jones, do you know what	1 A In 2000, I think.
2	grade you were in?	2 Q Would it have been a full year before the
3	A Yeah, I was a freshman.	3 Elko motel situation?
4	Q That's 9th grade?	4 A Not really.
5	A Yeah, 8th grade going into 9th grade.	5 Q That's what I think.
6	Then from there, I had to repeat my that's	6 A No, it couldn't have because this whole thing
7	—during my freshman and sophomore year, I was out and	7 between me and Gary had been on for about a year .
8	then coming back half of my sophomore year, I had to	8 Q Prior to what?
9	make all that up.	9 A Prior to him getting caught.
10	Q That didn't help me at all.	10 Q Well, let's suggest he got caught after the
11	We're going to go from graduation.	11 1 attempted suicide in August of 2002, fair?
12	A Okay, that would be easier.	12 A Yes.
13	Q And we know graduation is 12th grade and that	13 Q All right.
14	occurred when?	14 So if you had been seeing him for about a
15	A May 27, 2005.	15 year, that would put it back to the summer of 2001.
16	Q All right.	16 which is consistent with some of the reports?
17	So that's 12th grade?	17 A Yes, it would be because after I did attempt
18	A Yes.	18 suicide, that's when they started really getting into
19	Q Go back a here to May of 2004?	19 the investigation and stuff, yes.
20	A The 11th grade.	20 Q Right.
21	Q Go back to May of 2003.	21 (Exhibit No. A was marked.)
22	A In 2003 was 10th; right?	22 BY MR. ROBISON:
23	Q Unless we missed some school in there so be	23 Q We have marked as Exhibit A to your
24	sure about this.	24 deposition the Complaint that is filed by you against
25	So we go back to May of 2003, it would have	25 the defendants.

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11 (Pages 38 to 41)

	Page 38	Page 40
1	A Okay.	1 Then she says "Okay. And so did you and he
2	Q I'm not going to talk to you about that right	2 start doing things together?" And you say, "Uh-huh.
3	now but you have given a video and an audio recorded	3 Not until gee I think six or seven months later."
4	statement to the Elko Police Department.	4 I read that to understand that about six or
5	Do you remember that?	5 seven months after you met Gary Jones, this physical
6	A No.	6 relationship evolved?
7	Q with Miss Bowers?	7 A Yes.
8	A I don't remember.	8 Q And you say in this statement that that
9	Q You sat in a little room.	9 started at the motel in Elko?
10	I can play some of it for you and it might	10 A Yes.
11	refresh your recollection; do you want me to do that?	11 Q So that we know is November of 2001?
12	A Yes.	12 A Yes.
13	Q All right.	13 Q So do you believe that was six or seven
14	Let me ask some preliminary questions.	14 months before the Elko situation where you first met
15	A Okay.	15 Gary Jones?
16	(Exhibit B was marked.)	16 A Yes.
17	BY MR. ROBISON:	17 Q Is this truthful testimony?
18	Q This is our transcript, Exhibit B, of that	18 A Yes, I do remember now.
19	statement. I'm going to show you the video in a	19 Q Okay.
20	moment but what I want to do is ask you to turn to	20 Then I won't have to play the tape right now.
21	Page 8 and 9 of the transcript Exhibit B.	21 I'll play it later.
22	Now, Page 8, Detective Connie Bowers is	22 A No.
23	trying to find out what I'm trying to find out and	23 Q Okay.
24	that's when you first met Gary Jones. Are you with	24 So we're going to go forward in this case
25	me?	25 believing that you met Gary Jones about May or June of
	Page 39	Page 41
1	A Yes.	1 2001, deal?
2	Q All right.	2 A Deal.
3	Let's start at the top of Page 8. You say,	3 Q All right. I want to stop right there.
4	"But they came over to help you and your mother."	4 What faith were you in June of 2001?
5	"Yes."	5 A It was called a non-denominational.
6	"Get through this period when your dad went	6 Q Non-denomination?
7	to prison?" You say "Uh-huh."	7 A Yes.
8	"So how did your relationship start with	8 Q You had never been to the Mormon church?
9	him?" And you say, "I didn't really like him at	9 A Like going to church?
10	first. I hated his guts." She says, "Okay, that's	10 Q Right.
11	honest." You say, "I was afraid of him. Then a	11 A No. But yes, I've been in there. You know,
12	little later on, I started growing out of that." She	12 like for my mom used to have a friend that quilts and
13	says, "what caused you to do that?" And you say, "I	13 I used to go help them quilt.
14	don't know. He started to be nice to me I guess."	14 Q Don't take me there, my wife does that.
15	She says, "How was he nice?" And you say, "Like any	15 A Then I was small enough to climb under and
16	uncle would treat you or aunt would treat you, like	16 stick the needle through.
17	your mom would treat you."	17 Q But you didn't do that to go there for church
18	The question is asked, "So you came to look	18 purposes?
19	at him first as an uncle figure or something?"	19 A No.
20	"Uh-huh."	20 Q You just went there because it was where your
21	"Okay." Your answer, "Well, my aunt and my	21 mom was?
22	mom and some of my relatives were telling me that he	22 A Right.
23	was my uncle and his sister was telling me that." She	23 Q And you had never participated in any Mormon
24	says "What?" And you say, "His sister was telling me	24 service?
25	that he was my uncle and she was my aunt."	25 A No.

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12 (Pages 42 to 45)

	Page 42	Page 44
1	Q Never been a member of any of the youth	1 A No.
2	groups in the Mormon church?	2 Q Have you ever participated or attended a
3	A No.	3 baptism at the Mormon church?
4	Q You don't know anything about the Mormon	4 A No.
5	church philosophies as of that time?	5 Q Do you know how they're done?
6	A No.	6 A I think so. I don't know.
7	Q You were never given teachings or preachings	7 Q And is that something you just heard from
8	from the Mormon church at that time?	8 your friends?
9	A No.	9 A Yes.
10	Q Correct?	10 Q How about a confirmation, do you know what
11	A Yes.	11 that is?
12	Q I'm going to ask you whether or not you know	12 A No.
13	what the weekly sacrament services are about at the	13 Q Do you know whether or not any of your
14	Mormon church?	14 friends have ever been confirmed?
15	A I don't know what that is.	15 A No.
16	Q You have no idea?	16 Q All right.
17	A I have no idea.	17 Ever been to a Mormon baby blessing?
18	Q Do you know about the weekly primary	18 A I didn't even know they had those.
19	situations that young girls were involved in in the	19 Q All right.
20	Mormon church?	20 It's safe to say, is it not ma'am, that
21	A No.	21 you've never ever been affiliated with the Mormon
22	Q Okay.	22 church?
23	And you still don't have any knowledge about	23 A Never ever.
24	that?	24 Q And you don't know anything about the Mormon
25	A Still don't know.	25 church; correct?
	Page 43	
1	Q All right.	1 A No. I do not.
2	Were you a member of any Young Woman's Relief	2 Q I still have to ask these questions. I know
3	Society?	3 the answer but I still have to ask them.
4	A No.	4 You haven't gone to any church functions?
5	Q How about Society Services Group?	5 A No.
6	A No.	6 Q And you haven't gone to any Mormon church
7	Q Never heard of that?	7 dinners?
8	A No.	8 A No.
9	Q Don't know anything about that Mormon --	9 Q And you haven't gone to any of the talent
10	A No.	10 programs?
11	Q And you didn't go to Sunday school?	11 A No.
12	A No.	12 Q Never participated in their talent programs?
13	Q At the Mormon church?	13 A No.
14	A No.	14 Q Never been a participant or an observer of
15	Q You don't know anything about what they do in	15 their Christmas or holiday functions?
16	Sunday school?	16 A No.
17	A No, I don't.	17 Q Have you or have you not?
18	Q Do you know anything about the monthly fasts	18 A No.
19	at the Mormon church?	19 Q Have you been at their holiday functions?
20	A No.	20 A No.
21	Q Do you know anything about the testimony	21 Q You have no familiarity at all with the
22	meetings at the Mormon church?	22 church structure; do you, ma'am?
23	A No.	23 A No.
24	Q Do you know anything about the baptism	24 Q And have you ever been requested to serve as
25	services at the Mormon church?	25 a leader in the church?

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13 (Pages 46 to 49)

	Page 46	Page 48
1	A No.	
2	Q Have you ever been requested to be a member	
3	of the church?	
4	A No.	
5	Q Have you ever paid a tithing?	
6	A No.	
7	Q Do you know what a tithing is?	
8	A You give money to them. I don't know.	
9	Q Okay.	
10	In any event, you haven't done it; correct?	
11	A No.	
12	Q How about fast offerings?	
13	A No. I wish they would give an offering to me.	
14	Q All right.	
15	But you haven't participated in fast	
16	offerings with the Mormon church, have you?	
17	A No.	
18	Q No participation at all in home teaching	
19	programs?	
20	A No.	
21	Q Ever sat down and prayed with anybody from	
22	the Mormon church?	
23	A No.	
24	Q Every received any spiritual guidance from	
25	anybody at the Mormon church?	
	Page 47	Page 49
1	A No.	
2	Q Have you ever been indoctrinated or taught	
3	about the Mormon church beliefs and philosophies by	
4	anybody?	
5	A Yes, by my aunt, my Dad's sister.	
6	Q What's her name?	
7	A Lucille Grover.	
8	Q Was she a resident of Owyhee?	
9	A No. She lives in Salt Lake, Utah. She used	
10	to but now she lives somewhere I don't know where she	
11	lives.	
12	Q Is Lucille your aunt on your mother's side?	
13	A No, on my Dad's side.	
14	Q That's your Dad's sister?	
15	A Yes.	
16	Q Did Aunt Lucille talk to you about Mormon	
17	philosophies and beliefs?	
18	A All she said is that I should become a Mormon	
19	and stuff like that.	
20	Q Oh, I see.	
21	So she thought that it might be in your best	
22	interests to become a member of their church?	
23	A Yeah. I told her that they're crazy, and she	
24	got mad at me.	
25	Q And your belief is your belief.	

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14 (Pages 50 to 53)

Page 50	Page 52
<p>1 A No, I did not. I told my mom, and my mom 2 just started laughing. "You don't need that."</p> <p>3 Q And now as I understand the situation though, 4 is that after your father was apprehended and after 5 you came back from the shelter, the Mormon church 6 tried to help your family?</p> <p>7 A Yes, with food.</p> <p>8 Q And you're not critical of the church for 9 trying to help your family, are you?</p> <p>10 A No, I'm not, that was a good thing that they 11 did because we were on the down side.</p> <p>12 Q Right and the Mormon church I think got you 13 some food services?</p> <p>14 A Yes.</p> <p>15 Q And that was welcomed and you're thankful for 16 that; correct?</p> <p>17 A Yes.</p> <p>18 Q And they also I think got some clothing; do 19 you remember that?</p> <p>20 A I just know the food part, not the clothes.</p> <p>21 Q You're not blaming, in this case, the Mormon 22 church for assisting your family, are you?</p> <p>23 A No.</p> <p>24 Q That's something that you're grateful for?</p> <p>25 A Yes.</p>	<p>1 about Mr. Jones?</p> <p>2 A I would say about two or three months after 3 when my mom started talking to me saying that, "You 4 shouldn't be that way," and stuff like that.</p> <p>5 Q When she said "that way --"</p> <p>6 A Like being rude --</p> <p>7 Q And hateful?</p> <p>8 A Yes.</p> <p>9 Q Did Mr. Jones ever talk to you about any of 10 the Mormon church activities?</p> <p>11 A No.</p> <p>12 Q Did he ever mention primary activities for 13 children young children age three to ten?</p> <p>14 A All he said was just like they do fun things 15 like arts and crafts.</p> <p>16 Q But you weren't interested?</p> <p>17 A No.</p> <p>18 Q Did he mention anything about the Merry Miss 19 activities?</p> <p>20 A The what?</p> <p>21 Q Merry Miss?</p> <p>22 A I don't know what that is.</p> <p>23 Q All right.</p> <p>24 Did he indicate -- did he mention anything to 25 you about the beehive activities?</p>
Page 51	Page 53
<p>1 Q And Mr. Jones was the person that had helped 2 get you that Mormon assistance, that Mormon church 3 assistance?</p> <p>4 A I believe so.</p> <p>5 Q You don't hold that against Mr. Jones, do 6 you?</p> <p>7 A No.</p> <p>8 Q And are you grateful to Mr. Jones at least 9 for --</p> <p>10 A Helping us out with the food, yes.</p> <p>11 Q Through the Mormon church?</p> <p>12 A Yes.</p> <p>13 Q All right.</p> <p>14 A Because I don't think anybody else would.</p> <p>15 Q Right.</p> <p>16 Okay. So after the assistance is given to 17 your family, is this that time where you indicate that 18 you kind of hated him?</p> <p>19 A Yes.</p> <p>20 Q Even though Mr. Jones is getting the Mormon 21 church to provide food assistance for your family, you 22 don't like him at that time?</p> <p>23 A No.</p> <p>24 Q How long was it after the Mormon church 25 helped your family that you began to feel differently</p>	<p>1 A I have no idea what that is.</p> <p>2 Q That's a program set up for girls between 12 3 and 18 years old within the church. No discussion 4 with Mr. Jones about beehive activities?</p> <p>5 A No.</p> <p>6 Q Did he mention anything to you about Mea maid 7 Activities?</p> <p>8 A No.</p> <p>9 Q Do you know what that is?</p> <p>10 A No.</p> <p>11 Q Ever heard of it before today?</p> <p>12 A No.</p> <p>13 Q Those are church activities for girls between 14 the age of 14 and 15. Is this the first time you've 15 heard that?</p> <p>16 A The first time ever.</p> <p>17 Q And Mr. Jones never mentioned that to you?</p> <p>18 A No.</p> <p>19 Q And how about laurel activities?</p> <p>20 A No.</p> <p>21 Q Mr. Jones never mentioned anything about 22 laurel activities for girls in the church age 16 to 23 18?</p> <p>24 A No.</p> <p>25 Q How about the combined youth activities, did</p>

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15 (Pages 54 to 57)

Page 54	Page 55	Page 56
<p>1 he ever talk about that other than the arts and 2 crafts?</p> <p>3 A No.</p> <p>4 Q He didn't try to make you or suggest to you 5 that you should be part of these activities, did he?</p> <p>6 A No. All he said is, "You should just try it 7 out."</p> <p>8 Q You made a pretty definite answer to that, 9 didn't you?</p> <p>10 A Yes.</p> <p>11 Q And it would fair to say, in this case ma'am, 12 that you made it clear to Gary Jones that you wanted 13 nothing to do with the Mormon church?</p> <p>14 A Yes.</p> <p>15 Q And it's still your position?</p> <p>16 A Yes.</p> <p>17 Q So if I start working on you, it's not going 18 to work?</p> <p>19 A It won't work.</p> <p>20 Q Do you know anything about the Temple?</p> <p>21 A You mean that big thing that goes like that? 22 Is it a church or what?</p> <p>23 Q Yeah. Well, you've answered my question.</p> <p>24 Do you know what a Branch President is in the 25 Mormon church?</p>	<p>1 religion?</p> <p>2 A No.</p> <p>3 Q Well, wait a minute, we're both saying the 4 same thing.</p> <p>5 Is it true that your relationship with Mr. 6 Jones had nothing to do with religion; correct?</p> <p>7 A Correct.</p> <p>8 Q Okay. Thank you.</p> <p>9 I have the statement in front of you. I want 10 to kind of walk through it with you, if you don't 11 mind. We're on Page 8, and we went through a little 12 bit on Page 9. I want to turn to Page 10.</p> <p>13 You give the detective in this statement 14 about line six you say, "Okay. It's coming back." 15 She asked the question. "Okay. Explain to me what 16 happened at the Owyhee -- let me do this. I'm going 17 to move ahead to Page 25.</p> <p>18 After I show you the videotape, ma'am, I'm 19 going to ask you some questions about what's on Page 20 25 of the transcript. I think the record should 21 reflect that the court reporter is not going to 22 transcribe what's being played at this time.</p> <p>23 (The tape was played.)</p> <p>24 BY MR. ROBISON:</p> <p>25 Q All right.</p>	
		<p style="text-align: center;">Page 57</p> <p>1 A Isn't it like a co-pastor or something. I 2 really don't know.</p> <p>3 Q Do you know what, if any, position Mr. Jones 4 had with the Mormon church when you and he were 5 involved?</p> <p>6 A At the time, I think he was the Bishop, 7 that's what they called him.</p> <p>8 Q Who called him that?</p> <p>9 A The church people, church members.</p> <p>10 Q Do you know where the church was located in 11 Owyhee?</p> <p>12 A Yes, over by the hospital.</p> <p>13 Q Do you know what Mr. Jones did there?</p> <p>14 A Preach, I guess.</p> <p>15 Q But he never preached to you?</p> <p>16 A No.</p> <p>17 Q And you never prayed together?</p> <p>18 A No.</p> <p>19 Q Did you share your -- your religious beliefs, 20 your spiritual beliefs, did you share those with him?</p> <p>21 A No.</p> <p>22 Q Was that something not involved?</p> <p>23 A No.</p> <p>24 Q So it would be fair to say that your 25 relationship with Mr. Jones had nothing to do with</p>

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16 (Pages 58 to 61)

Page 58			Page 60		
Q	A				
1	A	Yes.	1	A	Before.
2	Q	You go down to the question on line six.	2	Q	All right.
3		Detective Bowers asked you, "Well, between	3		And Elko then -- the Elko Ameritel Motel
4		November -- after the Ameritel Inn, you're talking	4		would have been then the last time that you had a
5		about another eight or nine months. Did you ever go	5		sexual relationship with Gary Jones?
6		on another trip with him."	6	A	Yes.
7		You say, "No because his wife," and then it's	7	Q	True?
8		inaudible. Do you remember what you said about his	8	A	Yes.
9		wife?	9	Q	And this gets a little dicey but bear with me.
10	A	His wife came back.	10		And that was purely vaginal sex?
11	Q	So you couldn't go on a trip with Mr. Jones?	11	A	Yes.
12	A	Yes.	12	Q	No oral sex?
13	Q	So that should read, "No because his wife	13	A	No.
14		came back?"	14	Q	And how long before the Ameritel Hotel Motel
15	A	Yes.	15		relationship was it going back in time that you had a
16	Q	On line ten of Page 25. Thank you.	16		sexual relationship with Mr. Jones at his house or at
17		Then she asked, "But you used to meet him	17		in his truck?
18		there on the reservation?" And you answer, "I talked	18	A	At the house was about three weeks prior to
19		to him every now and then." Then she says, "Did you	19		the Ameritel Inn.
20		have sex with him again?" Answer "No."	20	Q	Okay.
21		She says question, "After the Ameritel Inn,	21	A	And the truck one was about -- I would say
22		you never had sex with him again?" Your answer "No."	22		about a month.
23		Question. "So you had sex with him a total of four	23	Q	All right.
24		times?" And your answer is "Uh-huh." She says,	24		So the first time that you had a physical
25		"You're sure?" And you say, "Uh-huh." And the	25		sexual relationship with Mr. Jones would have been
Page 59			Page 61		
Q	A				
1		question is, "You're telling me the truth?" And you	1		approximately in the early part of October of 2001?
2		say "Uh-huh."	2	A	Yes.
3		Then the next question she says, "It's very	3	Q	And I'm asking you to assume that's a month
4		important did you have a relationship of any kind with	4		before the Elko motel?
5		him after that?" Answer, "I just tried talking to him	5	A	Yes.
6		and stuff." Question. "But there was no sex at the	6	Q	The second time that you had an intimate
7		school, no sex on the reservation in Owyhee or	7		relationship with Mr. Jones was at his house
8		anywhere?" Your answer "No." Was that truthful?	8		approximately three weeks before the stay at the
9	A	Yes.	9		motel?
10	Q	Okay.	10	A	Yes.
11		So in this situation this whole case that	11	Q	And then there was what is it a four-day stay
12		we're here for today really is about what happened at	12		at the motel?
13		that motel, true?	13	A	Something like that.
14	A	Yes.	14	Q	And how many times was there sexual relations
15	Q	Insofar as the sexual contact?	15		in the motel, during that period of time?
16	A	Yes.	16	A	Two.
17	Q	The only sex you had with Gary Jones, ma'am,	17	Q	Okay.
18		was at the Ameritel Hotel in Elko Nevada in November	18		And I'm not playing games with you but on
19		of 2001, true?	19		Page 25 in that area of this transcript, I think you
20	A	At the motel, yes, that is true but within	20		say four. Does that refresh your recollection?
21		the reservation, we did it about I would say two	21	A	Yes.
22		times. One was at his house, and one was in his	22	Q	Does that include the other two?
23		pickup.	23	A	Yes, it does.
24	Q	Okay.	24	Q	So there's a total --
25		Was that before Elko or after Elko?	25	A	Because the day -- okay. There's four days

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17 (Pages 62 to 65)

Page 62	Page 64
<p>1 we were there, right?</p> <p>2 Q Right.</p> <p>3 A The last two days, that's when we did it and</p> <p>4 then plus the other two.</p> <p>5 Q So this case, ma'am, your very best honest</p> <p>6 truthful testimony is with regard to sexual encounters</p> <p>7 four times?</p> <p>8 A Yes.</p> <p>9 Q Between approximately October of 2001 and the</p> <p>10 last two days that you were at the motel in Elko in</p> <p>11 November of 2001; right?</p> <p>12 A Yes.</p> <p>13 Q Thereafter, Lucille Jones gets involved;</p> <p>14 right?</p> <p>15 A Yes.</p> <p>16 Q Not a happy camper, right?</p> <p>17 A No.</p> <p>18 Q And that kind of ended the sexual</p> <p>19 relationship between you and Mr. Jones?</p> <p>20 A Yes.</p> <p>21 Q All right.</p> <p>22 A Prior -- before the sex and stuff, he would</p> <p>23 just like touch me in places he shouldn't be touching.</p> <p>24 Q I understand, we'll get there in a moment.</p> <p>25 What I want to do is put a period. I want to</p>	<p>1 Q Mr. Beko is going to ask you more questions</p> <p>2 about that.</p> <p>3 A Okay.</p> <p>4 Q Never were you at the church with Mr. Jones?</p> <p>5 A Yes. I went there once.</p> <p>6 Q For what?</p> <p>7 A He had to do some kind of paperwork with the</p> <p>8 church.</p> <p>9 Q Nothing to do with sex though?</p> <p>10 A No.</p> <p>11 Q So this church, the Mormon church, is not the</p> <p>12 location of any sexual activity?</p> <p>13 A No.</p> <p>14 Q And no improper touching, no improper</p> <p>15 anything at the church; correct?</p> <p>16 A Correct.</p> <p>17 Q And these are going to be hard questions, I</p> <p>18 understand that, so bear with me.</p> <p>19 Why was it that you allowed yourself to be</p> <p>20 touched or have sex with Mr. Jones in the house --</p> <p>21 excuse me, yeah in the house? Did you think that you</p> <p>22 were in love with him?</p> <p>23 A At the time, yes.</p> <p>24 Q Why did you think -- what was it about him</p> <p>25 that you loved or thought you loved at the time?</p>
Page 63	Page 65
<p>1 make sure that the jury and the judge and everybody</p> <p>2 knows when the sex ended and it's true, correct, that</p> <p>3 it ended that weekend in Elko at that motel; correct?</p> <p>4 A Yes.</p> <p>5 Q Thereafter, there's no sex between yourself</p> <p>6 and Mr. Jones?</p> <p>7 A No.</p> <p>8 Q All right.</p> <p>9 Was there improper touching after Elko?</p> <p>10 A Yes.</p> <p>11 Q Was there any sex and I don't know, President</p> <p>12 Clinton had a tough one with that one.</p> <p>13 Okay. After the motel incident, that's the</p> <p>14 last time there was intercourse?</p> <p>15 A Yes.</p> <p>16 Q Was there improper touching after that, as</p> <p>17 far as you're concerned?</p> <p>18 A Yes, touching, feeling and like feeling of</p> <p>19 the private area and chest area, and there was</p> <p>20 kissing.</p> <p>21 Q And how many times after the motel?</p> <p>22 A I would say every time I went back to school</p> <p>23 like whenever he would think that nobody was around in</p> <p>24 the school, like when people were working and kids are</p> <p>25 in classes and stuff like that.</p>	<p>1 A At the time, I would say it was the money.</p> <p>2 Q Did he appear to have money?</p> <p>3 A Yes, he did.</p> <p>4 Q Okay.</p> <p>5 A When I -- like some field trips I would go to</p> <p>6 if I needed money, he would give it to me when my mom</p> <p>7 didn't have it.</p> <p>8 Q Do you think he took advantage of you because</p> <p>9 of his money situation?</p> <p>10 A I would say yes.</p> <p>11 Q Do you think you -- I'm going to use the word</p> <p>12 "consent."</p> <p>13 Did you consent to having sex with him?</p> <p>14 A You mean giving him the okay?</p> <p>15 Q Yes.</p> <p>16 A Yes.</p> <p>17 Q Did you do that because you thought you loved</p> <p>18 him?</p> <p>19 A I did it because I was scared. I thought if</p> <p>20 he didn't -- if I didn't give him the okay, he would</p> <p>21 tell or harm me in any way.</p> <p>22 Q The authorities have recovered your notebooks</p> <p>23 and your calendars.</p> <p>24 In those paperwork, I'm sure you're aware of</p> <p>25 the fact that there's expressions of love?</p>

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18 (Pages 66 to 69)

	Page 66	Page 68
1	A Yes.	
2	Q And you are saying in these notes that you	
3	love Gary Jones?	
4	A Yes.	
5	Q And at the time you thought you did?	
6	A Yes.	
7	Q But we don't see any notes where you say you	
8	were afraid of him.	
9	After you've had the sex the first time in	
10	the truck; right?	
11	A Uh-huh.	
12	Q You weren't afraid of him after that, were	
13	you?	
14	A No.	
15	Q And it still was a situation where he was	
16	spending money on you; correct?	
17	A Yes.	
18	Q And you thought you had a feeling of love for	
19	him?	
20	A Yes.	
21	Q And that's why you had these intimate	
22	relationships?	
23	A Yes.	
24	Q Okay.	
25	He never tried to put any guilt trip on you	
	Page 67	
	Page 69	
1	religiously or spiritually, did he?	
2	A No.	
3	Q He never used any of the Mormon philosophies	
4	or beliefs to get you to consent to sex, did he?	
5	A No.	
6	Q Again, religion was kind of a deal breaker;	
7	wasn't it?	
8	A Yes.	
9	Q All right.	
10	Other than the vaginal sex and touching of	
11	the breasts and the private parts, no other type of	
12	sex; correct?	
13	A No.	
14	Q All right.	
15	After Mr. Jones in August of 2002, there was	
16	a suicide attempt; correct?	
17	A Yes.	
18	Q You went to Boise for a while and you	
19	received some treatment?	
20	A Yes.	
21	Q What kind of treatment?	
22	A Psychological.	
23	Q All right.	
24	Did it help?	
25	A Yes, some of it did.	

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19 (Pages 70 to 73)

Page 70	Page 72
<p>1 Q So there's nothing that you want to change in 2 your testimony as we sit here right now?</p> <p>3 A No.</p> <p>4 Q We're going to go forward with my part of 5 this deposition and everything you've told me so far 6 is the absolute truth and honesty; correct?</p> <p>7 A Yes.</p> <p>8 Q You made a comment about being at the church 9 with Mr. Jones to do some paperwork.</p> <p>10 Was that before the Ameritel motel incident 11 or after; if you recall?</p> <p>12 A I believe it was before, I'm really not sure.</p> <p>13 Q Okay.</p> <p>14 But that would have been the only time?</p> <p>15 A Yes.</p> <p>16 Q That you were at the church or on the church 17 premises with Mr. Jones?</p> <p>18 A Yes.</p> <p>19 Q All right.</p> <p>20 Thank you. Listen, we have Exhibit C that 21 I'd like to show you.</p> <p>22 (A discussion was held.)</p> <p>23 BY MR. ROBISON:</p> <p>24 Q Mr. Beko has a good point.</p> <p>25 Counsel, if you don't mind, I would like the</p>	<p>1 It says, "Previous attempts," and it says 2 "One other 12/01." Do you see that?</p> <p>3 A There shouldn't be.</p> <p>4 Q Do you recall having an attempted suicide 5 prior to this August 2002 incident where Mr. Jones 6 came over and made a statement?</p> <p>7 A Not that I remember.</p> <p>8 Q Okay.</p> <p>9 A I might have talked about it but not really 10 gave the attempt like how I did in 8/2.</p> <p>11 Q The "12/01" on this line on Exhibit 3 would 12 have been almost a month after the Ameritel motel 13 situation in Elko; right?</p> <p>14 A Yes.</p> <p>15 Q Does that help you within a month or so after 16 the Elko motel room that you would have attempted 17 suicide?</p> <p>18 A Yes, but I didn't actually attempt. I guess 19 it was a talk, but I never really, actually --</p> <p>20 Q Why was there talk in December?</p> <p>21 If this is the case, why would there be talk 22 about suicide about within a month or so after Elko?</p> <p>23 A Just because people started to find out and 24 they all started teasing and stuff.</p> <p>25 Q Found out about Elko?</p>
Page 71	Page 73
<p>1 record to reflect that Exhibit A is Exhibit No. 1. 2 Exhibit B is Exhibit No. 2 and I'm now marking Exhibit 3 No. 3, and we would like, if it's okay with counsel, 4 to proceed sequentially throughout these depositions 5 so we have one set of exhibits.</p> <p>6 (Exhibit No. 3 was marked.)</p> <p>7 BY MR. ROBISON:</p> <p>8 Q Exhibit 3, ma'am, is a report we got that's 9 Bates and I think it's our production, PR 106, and 10 it's also part of the School District's production and 11 it's a Suicide or Attempted Suicide Report form. This 12 is the one they did in August after the situation at 13 your home.</p> <p>14 Did you reside on the reservation at this 15 time on August of 2002?</p> <p>16 A Yes.</p> <p>17 Q And did Mr. Jones reside on the reservation?</p> <p>18 A Yes.</p> <p>19 Q It says "Month Date" four lines down on the 20 right side 8/02. Do you see that?</p> <p>21 A Yes.</p> <p>22 Q And "Method, hanging. Reason: Family 23 problems and stress." Okay?</p> <p>24 A Yes.</p> <p>25 Q I'm more interested in the next entry.</p>	<p>1 A Yeah, that and what has been going on between 2 me and Gary.</p> <p>3 Q You told a couple of your friends?</p> <p>4 A Yes, I did.</p> <p>5 Q Cheyenne Rose?</p> <p>6 A Yes.</p> <p>7 Q And the other one is?</p> <p>8 A Jillian Putra.</p> <p>9 Q Right, P U T R A.</p> <p>10 Throughout the spring of 2002, you're in 11 school; correct?</p> <p>12 A Yes.</p> <p>13 Q And you and Mr. Jones are not in any way 14 involved with a sexual relationship that can be 15 defined as intercourse; correct?</p> <p>16 A Yes.</p> <p>17 Q Is it still your belief in 2001 that Mr. 18 Jones is affiliated with the Mormon church in any way?</p> <p>19 A Yes.</p> <p>20 Q And how was he associated with the church in 21 2002?</p> <p>22 A Several times he tried to like I guess 23 convert me to the Mormon ways.</p> <p>24 Q Now, we've discussed that. This is a 25 different question.</p>

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20 (Pages 74 to 77)

Page 74	Page 76
1 You've told me that religion has nothing to 2 do with your relationship with Mr. Jones in 2001. 3 This is a different question. In 2002, what was your 4 understanding of his position? Did you understand 5 that he was still this Bishop? 6 A As far as I knew, yes, I did. 7 Q So you and he never talked about whether he 8 obtained any other office at the church in 2002? 9 A Not that I know of, no. 10 Q And he never discussed with you his duties 11 and responsibilities at the church during 2002 and 12 this is the next year? 13 A No. 14 Q All right. 15 Did he ever tell you that he stepped down as 16 Bishop? 17 A He was talking about it, yes. He was saying, 18 "I should step down," and stuff like that. 19 Q Other than saying that he should do that, did 20 he ever tell you that he did do that? 21 A No. 22 Q By the time August of 2002 rolls around, it's 23 still your understanding that he is -- somehow has a 24 position with the Mormon church? 25 A Can you repeat that question?	1 non-denominational. 2 Q Rudolph Seahmer came into your household 3 when? 4 A I would say the year of 2002. 5 Q All right. 6 After the Elko incident because your mother 7 was back in Oklahoma to see Mr. Seahmer and left you 8 in that situation? 9 A Yes. 10 Q And you are a little bit upset with your 11 mother the fact that she left you in that situation? 12 A Yes. 13 Q You wanted to go with her; correct? 14 A Yes. 15 Q And she said "No," and farmed you off to 16 whomever she could which turned out to be Mr. Jones; 17 right? 18 A Yes. 19 Q And have you and your mother talked about 20 that and your feelings about that? 21 A No. 22 Q Have you told her that you are angry at her, 23 as you did the police, that she left you in that 24 position? 25 A No.
Page 75	Page 77
1 Q Yes. 2 By the time this suicide attempt occurred in 3 August of 2002, was it your understanding at that time 4 that he still had some position with the Mormon 5 church? 6 A Yes. 7 Q And you still thought he was Bishop? 8 A Yeah. I wasn't too sure if he did step down 9 or anything like that. 10 Q But you and he didn't make that a subject of 11 your discussions? 12 A No. 13 Q And still throughout 2002, religion was kind 14 of off topic for you and he? 15 A Yes. 16 Q To your knowledge, did Mr. Jones ever serve 17 as a counselor spiritually to your family? 18 A All I've heard him say to my mom is just that 19 "Keep on praying," and stuff like that but other than 20 the counseling, no. 21 Q All right. 22 Now, Mr. Seahmer is a minister, isn't he? 23 A Yes. 24 Q Baptist? 25 A I don't know. He might be a	1 Q Okay. 2 A I didn't want for her to I guess put the 3 guilt on her. 4 Q I understand. 5 But you felt that way? 6 A Yes, even -- 7 Q Still do? 8 A Yes. 9 Q Now, your mother returns from Oklahoma a week 10 or so around this motel incident in Elko? 11 A Yes. 12 Q Did Mr. Seahmer come back with her? 13 A No. 14 Q They got married when, the early part of 15 2002? 16 A I believe so. 17 Q When did he move in? 18 A I know he was there -- 19 Q Keep your voice up, please. 20 A I know he was there for the time I went into 21 treatment and then when Gary and Lucille came over to 22 the house -- 23 Q He was there? 24 A Yes, he was living there. 25 So I think it was in February of 2002 he was

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1 STATE OF NEVADA)
2) ss.

2 COUNTY OF WASHOE)
3
4

I, GAIL R. WILLSEY, a notary public in and
for the County of Washoe, State of Nevada, do hereby
certify:

That on Tuesday, the 26th day of June, 2007,
at the offices of ROBISON, BELAUSTEGUI, SHARP AND LOW,
71 Washington St., Reno, Nevada, personally appeared
DA-DAZE-NOM MANZANARES, who was sworn by me, and was
deposed in the matter entitled herein;

That said deposition was taken in stenotype
notes by me, a Certified Shorthand Reporter, and
thereafter transcribed into typewriting as herein
appears;

That the foregoing transcript, consisting of
pages 1 through 321, is a full, true and correct
transcription of my stenotype notes.

DATED: At Reno, Nevada, this 11th day of
July, 2007.

Gail Willsey

GAIL R. WILLSEY, CSR #359